IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 10/655,326
Confirmation No. 6111

I hereby certify that this correspondence is being transmitted to the United States Patent & Trademark Office via electronic submission or facsimile on the date indicated below:

08/26/2008   /Pamela Gerik/
    Date   Pamela Gerik

DECLARATION OF PAUL DINGMAN
UNDER 37 C.F.R. § 1.132

Sir:

1.   I am employed by Pervasive Software as the Chief Technologist for the Integration Products Division. My responsibilities include the software architecture and product vision for all of the integration software products. Additionally, I manage some of software engineering for new product development. Pervasive Software is the owner of the captioned application.

2.   I have 29 years of experience in the software industry as a developer, software architect and in managing software development teams. Most of my career has been focused on data integration, computer languages, distributed computing, software frameworks, software development platforms and tools, transaction processing and middleware.

3.   Prior to my employment with Pervasive Software (1993-2003), I was employed as the Chief Architect for Data Junction Corporation. My responsibilities included the design and development of Data Junction's data integration products. In 1998 I was promoted to Vice President of Development and assumed responsibilities for managing all software development

for the company. Prior to my employment with Data Junction Corporation (1982-1993), I was employed by The Continuum Company as both a software developer and software architect.

4.   I have reviewed the present U.S. Application Serial No. 10/655,326. In particular, pages 12-14 of the application which relates to coding directives for adaptive navigation.

5.   I have been asked to consider the Office Action mailed February 26, 2008 and, in particular, the following statements which were made by the patent examiner in that Action with respect to U.S. Application Serial No. 10/655,326:

> As noted above, "coding directives" are inherently present in order for the user directed extraction to occur. As noted by Applicant (see 12/28/07 page 9), Kelley column 4 lines 1-9, column 6 lines 1-8, and column 7 lines 16-25, disclose using JavaScript to build or generate an output screen. In order to generate such an output screen, the JavaScript must be loaded and executed (Office Action mailed February 26, 2008 -- pg. 7).

6.   Kelley does not teach extracting scripted content where the scripted content is loaded and executed. As can be seen from Figure 3 and column 6 of Kelley, Kelley is really just associating hyperlinks in the page as levels. Reading Kelley at column 4, lines 1-9, and column 6, lines 1-8, the JavaScript is placed in the HTML to build a custom Web page. Kelley at column 7, lines 16-25, the JavaScript source code is extracted from the source Web page and used to build new source code which is embedded in the target custom Web page.

7.   I declare that all statements made herein of my own knowledge are true, and that all statements of my own belief are believed to be true, and further that these statements were made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this patent, and any reexamination certificate issuing thereon.

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8 · 25 · 2008
Date

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Paul Dingman

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